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6 Attorneys for Defendant  
PRAXAIR DISTRIBUTION, INC.

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO DIVISION

11 SETH COCKRELL,

Case No. 08-CV-00204-PJH

12 Plaintiff,

13 v.

14 PRAXAIR DISTRIBUTION, INC., and  
15 DOES 1 through 100,

16 Defendant.

17 **STIPULATION FOR VOLUNTARY DISMISSAL WITH PREJUDICE**

18 Plaintiff Seth Cockrell and Defendant, Praxair Distribution, Inc., pursuant to Federal  
19 Rule of Civil Procedure 41(a), hereby stipulate to the dismissal of this action and each claim which  
20 was or could have been brought therein, with prejudice, and without an award of costs or attorney's  
21 fees to either party. The parties further agree to the entry of the attached proposed Order dismissing  
22 this case with prejudice.

23 Dated: June 20, 2008

Dated: June 20, 2008

24 /S/Anthony J. Sperber  
25 Anthony J. Sperber, Esq.  
26 Law Office of ANTHONY J. SPERBER  
27 Attorneys for Plaintiff, Seth Cockrell

/S/ Alison S. Hightower  
Alison S. Hightower, Esq.  
LITTLER MENDELSON, P.C.  
Attorneys for Defendant, Praxair Distribution, Inc.

28 Firmwide:84929449.1 045147.1123

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7 PRAXAIR DISTRIBUTION, INC.

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9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
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12 SETH COCKRELL,

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13 Plaintiff,

14 v.

15 PRAXAIR DISTRIBUTION, INC., and  
DOES 1 through 100,

16 Defendant.  
17

18 **[PROPOSED] FINAL ORDER GRANTING VOLUNTARY DISMISSAL WITH**  
19 **PREJUDICE**

20 THIS CAUSE having come before the Court upon the parties' Stipulation For  
21 Voluntary Dismissal With Prejudice,

22 IT IS HEREBY ORDERED and ADJUDGED that this action, and each claim which  
23 was or could have been brought therein, is dismissed with prejudice, and neither party shall be  
24 awarded costs or attorney's fees. The Clerk shall close this case.

25 DONE and ORDERED this \_\_\_\_ day of June, 2008.

26  
27 THE HONORABLE PHYLLIS HAMILTON  
JUDGE OF THE UNITED STATES DISTRICT COURT

28 Firmwide:84766650.2 045147.1123

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11 Attorneys for Defendant  
12 PRAXAIR DISTRIBUTION, INC.

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
14 COUNTY OF CONTRA COSTA  
15 UNLIMITED CIVIL CASE

16 SETH COCKRELL,

17 Plaintiff,

18 v.

19 PRAXAIR DISTRIBUTION, INC., and  
20 DOES 1 through 100,

21 Defendants.

Case No. C 07-02143

**PROOF OF SERVICE**

22 I am a resident of the State of California, over the age of eighteen years, and not a  
23 party to the within action. My business address is 650 California Street, 20th Floor, San Francisco,  
24 California 94108.2693. On June 20, 2008, I served the within document(s):

**STIPULATION FOR VOLUNTARY DISMISSAL WITH PREJUDICE**

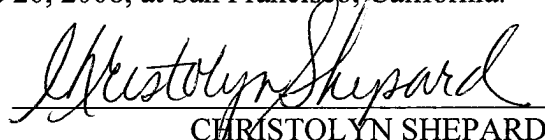
**[PROPOSED] FINAL ORDER GRANTING VOLUNTARY DISMISSAL  
WITH PREJUDICE**

<input checked="" type="checkbox"/>	<b>By United States mail.</b> I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses indicated below and ( <i>specify one</i> ):
<input type="checkbox"/>	deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.
<input checked="" type="checkbox"/>	placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this firm's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
<input type="checkbox"/>	<b>By overnight delivery.</b> I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses listed below. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.
<input type="checkbox"/>	<b>By messenger service.</b> I served the documents by placing them in an envelope or package addressed to the persons at the addresses listed below and providing them to a professional messenger service for service (First Legal Services T(415) 626-3111).
<input type="checkbox"/>	<b>By fax transmission.</b> Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission, which I printed out, is attached.
<input type="checkbox"/>	<b>By e-mail or electronic transmission. <u>AS A COURTESY</u>,</b> I caused the documents to be sent to the persons at the e-mail addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

**Counsel for Plaintiff, Seth Cockrell**

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I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on June 20, 2008, at San Francisco, California.

  
 CHRISTOLYN SHEPARD

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